IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

MALIBU MEDIA, LLC,

      Plaintiff,

    v.

JOHN DOE, subscriber assigned IP address
24.130.56.150,

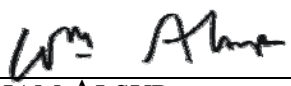   Defendant.

_____/

No. C 16-06111 WHA

**ORDER DENYING REQUEST
TO EXTEND DEADLINE TO
SERVE DEFENDANT
WITHOUT PREJUDICE**

Plaintiff seeks to extend the deadline to effectuate service due to delays in receiving a summons from the Clerk's office. Plaintiff's motion is unsupported by a sworn declaration, and it is accordingly **DENIED**. This is without prejudice to a renewed request supported by sworn evidence detailing counsel's diligence in procuring the summons, including the date and time of each phone call to the Clerk's office and efforts to procure the summons in person, if any. The declaration shall also explain the delay between receiving defendant's identifying information on March 30 (*see* Dkt. No. 15) and filing the amended complaint and proposed summons on April 13 (*see* Dkt. No. 17). Counsel is directed to review the Order Re Plaintiff's Proposed Procedure for Effectuating Service in *Malibu Media, LLC v. Doe*, Case No. 15-4287, Docket No. 29 (N.D. Cal. Feb. 23, 2016), which order is appended hereto as Exhibit 1. That order has formed the basis for the procedure in all Malibu Media cases assigned to the undersigned from that day forward, which procedures are set forth in the order allowing Malibu Media to serve a third-party subpoena herein (Dkt. No. 20).

1   Additionally, any new requested extension shall be no longer than the time period

2 between the filing of the proposed summons and the receipt of the summons (though the

3 extension may be further reduced depending on the extent of plaintiff's counsel's diligence).

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5   **IT IS SO ORDERED.**

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7 Dated: April 28, 2017.

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

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